

Opposition to North Dakota House Concurrent Resolution 3013 (HCR 3013)

North Dakota House Concurrent Resolution 3013 (HCR 3013), is a misguided effort to sway the Supreme Court of the United States (SCOTUS) to deny an entire class of Americans the right to self-determination as it pertains to their marital status, as well as the rights and privileges afforded by that status. Rescinding these rights and privileges will have a very real and very detrimental effect on the individuals and families they protect. People will lose the right to be covered under their spouse's health insurance, will lose the right to make important decisions, life and death decisions, on their spouse's behalf, as well as dozens more rights and privileges that those of us who this resolution does not target may very well take for granted. This is not a game, it is not merely performative, nor is it an rhetorical exercise. It will have very real negative effects on North Dakota citizens and families for no good reason. It punishes them for being different, which is completely un-American.

Besides being an egregious erosion of those rights, the philosophical and logical underpinnings of HCR 3013 are deeply flawed, and are argued in bad faith. The resolution text cites 2,000 years of culture and 800 years of common law, as well as falsely (some might say blasphemously) purporting to speak to the wishes of our Creator. Using the same logic laid out in HCR 3013, and in fact, by changing a just a small subset of the text, the same arguments therein could be used to forward a resolution in support of, amongst other things, denying women the right to vote, for example, or even supporting the legalization of chattel slavery, both of which have long cultural and common law traditions, but that we now recognize as immoral and wrong.

Once we strip away all of the bad faith arguments, appeals to invalid authority (both legal and divine), the remaining scant justification for overturning the right to same-sex marriage is nothing more than veiled discrimination of a class of people who are different than the sponsors. This archaic and hateful resolution should never have seen the light of day, and as a resident of the state of North Dakota, I am ashamed that such a resolution, supported by a small group of sponsors whose views do not represent the majority of the residents of this state, might potentially have the power of the name of my state and yours behind it.

For all these reasons, and many others, this resolution should not pass.